

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 136 of 1995

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?

4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge? : NO

STATE OF GUJARAT

Versus

LEGAL HIERS OF KESHAVALAL CHHAGANLAL PATEL

Appearance:

MR HH PATEL, AGP for Petitioners
MS BANNA S DUTTA for Respondent No. 1
None present for Respondent No.2

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 11/08/1999

ORAL JUDGEMENT

Having heard learned counsel for the parties and perusing
the judgment of the Gujarat Civil Services Appellate
Tribunal dated 30/12/93, I do not find any illegality
therein which calls for interference of this court under
Article 226 or 227 of the Constitution of India.

Only contention raised by the learned counsel for the petitioner is that the Tribunal should not have entertained the application of the respondent after 14 years. It is true that there is delay but it is the discretion of the Tribunal and where it has exercised the same judiciously and more so where I do not find any illegality and perversity therein, only on this ground that judgment cannot be quashed and set aside.

In the result, this Special Civil Application fails and the same is dismissed. Rule is discharged.

(S.K.Keshote, J.)

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